

Sirs:

The above titled item is an attempt by the FAA to change rules. However, in making this rule change, they are attempting to do a few things at the same time:

- 1) Restricting the Commercial License.
- 2) Applying the problems of a few specific areas to the whole nation. It would be nice had they had evidence of the problem beyond the area wherein they now have SFAR 71.

Looking at point 1 above, if the FAA feels that a commercial ticket holder needs to have 500 hours, then they should make that part of the requirements for that license. However, some years ago, they reduced the time requirements to 250 hours total time.

Looking at point #2, NTSB put out ideas that would stop problems, one of those effectively being that SFAR 71 be made the national norm and not just for Hawaii.

In reading all that the FAA has said, and the examples given, one should start to ask some questions:

- 1) What has been the increase in air traffic/operations of the "tour operators" across the whole nation and how does that compare to the number of accidents. One would like to see an apples to apples comparison, and so the operations and accident statistics for the conterminous states would surely be of interest.
- 2) In stating that these problems are happening because of the number of operations that are taking place in close proximity to each other, and that more flight time would alleviate this problem, were the flight hours of those pilots that were involved in accidents compared to all pilots flying such "tours" such that an obvious knee could be seen at say, 480 v. 300 hours?
- 3) Why are only two accidents listed for outside of Hawian airspace? (1 in Alaska and 1 in Maryland)
- 4) Why are all the numbers mixed up? If SFAR 71 had a telling effect on the number of accidents in the Hawian airspace, then why are all accident numbers pulled together from years 1993-2000 when SFAR 71 went into effect in September 1994?
- 5) Next in examining this document, one can see that the vast majority of accidents occurred in and around Hawaii. Why aren't similar statistics given for any similar areas in the conterminous states? Is it because these things don't happen except when operations involve a high likelihood of having to ditch as opposed to land in a field or on a road? Or is it that the high cost of tour operations has shut down many who would be flying over national parks/forests and the like?

And now for one last question in this area. Why is there no economic impact of this regulation listed for pilots? While safety is of major concern, if the FAA and NTSB can't make their case except for Hawaii, then shouldn't the economic impact be considered and quite carefully? Why is it that a pilot with less than 500 hours total time is allowed to teach beginning pilots?

One now needs to turn their attention to the crash of 29SEP92 involving a US registered helicopter and a Canadian helicopter. This is quickly mentioned, but under which air traffic control system were either of the helicopters operating (since the crash happened in Canadian airspace), and why is there only the mention of the end of the US helicopter? What was the actual cause of this crash?

Notice then that there were only two other crashes given outside of Hawaii; Both of those involved water.

Why are there no other crashes, accidents, or incidents listed for any other locations, in particular, non-water involved?

Is this lack of evidence of the need for this change because operations over water are the ones where the tour operators are not taking into account the possibility of a water landing (ditching)? And so the FAA and NTSB wants to change the rules for all "tour operators" as if they all are operating over water.

Seems that the rules should be changed to match the problem, and not find a problem to match a solution and then use a set of emotional arguments to back it.

If the FAA and NTSB can show a direct correlation between a pilot having less than 250 hours, or not having a commercial license, then they need to show that. In my mind this is the kind of evidence that needs be presented to make their case.